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December 8, 2021

**VIA CM/ECF**

The Honorable Leonard P. Stark  
United States District Court  
844 North King Street, Unit 26  
Wilmington, DE 19801

Re: *Sunoco Partners Marketing & Terminals L.P. v. Powder Springs Logistics, LLC,*  
*et al.*, C.A. No. 17-1390-LPS-CJB

Dear Judge Stark:

The parties completed trial on December 6, 2021. The jury found in favor of Sunoco on all asserted claims. Specifically, on December 3, 2021 the jury determined that all claims were valid and willfully infringed. (D.I. 744) The jury awarded damages on December 6, 2021. (D.I. 753).

At the end of trial, Plaintiff Sunoco Partners Marketing & Terminals L.P. (“Sunoco”) requested an expedited briefing scheduling on its forthcoming motion for a permanent injunction. Sunoco moved for a preliminary injunction against Defendant Powder Springs at the start of this case, over four years ago. This case would have been completed years ago, but COVID delayed the trial and thus the liability determination. That delay took years from the patents’ lives, but a critical five-month period remains. The patents are directed to automated butane blending and in the winter months the blending opportunity is highest, and thus the harm from infringement is at its peak. Defendants have been found to be willfully infringing Sunoco’s patents and Defendants admitted that this is a two-player market. A permanent injunction is warranted.

Judge Andrews approved Sunoco’s request to file its motion and opening brief by this Friday, December 10, 2021 with Defendants filing their answering brief by December 20, 2021. (Trial Tr. 1501:11-1503:25). Judge Andrews further requested that Sunoco submit a letter to Your Honor requesting a hearing date. Accordingly, Sunoco respectfully requests that the Court set an expedited hearing on its motion for a permanent injunction on either December 22, 2021 or December 23, 2021, subject to the availability of the Court.<sup>1</sup>

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<sup>1</sup> Sunoco proposed December 22, 2021 or December 23, 2021 to Defendants on the afternoon of December 7, 2021, however, Defendants have not advised of their position at the time of the filing of this letter.

Respectfully submitted,

*/s/ John C. Phillips, Jr.*

John C. Phillips, Jr. (No. 110)